

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEMICHEAL MALANGY GARDNER,

Defendant.

Hon. Phillip J. Green

Case No. 1:16-mj-0186

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ORDER

This matter is before the Court on the government's motion for pretrial detention. The government sought defendant Gemicheal Malangy Gardner's detention on two bases: (1) that he poses a serious risk of flight, 18 U.S.C. § 3142(f)(2)(A); (2) that he poses a danger to the community, 18 U.S.C. § 3142(f)(1). The Court conducted an evidentiary hearing today at which defendant was represented by counsel.

For the reasons stated on the record, the Court finds that the government failed to meet its burden of proving that defendant is a serious flight risk, but that the government has proven by clear and convincing evidence that he poses a danger to the community. The Court also finds, as explained on the record, that there is no condition or combination of conditions that will ensure the safety of the community.

Accordingly, **IT IS ORDERED** that defendant is committed to the custody of the Attorney General pending further order of this Court.

DONE AND ORDERED this 26th day of July, 2016.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge